

William Helly at the time of the sale. He acknowledged to deponent at the time of the sale, that he was not able to comply with the sale if he bought. ~ He only bid it up to bring more money ~ To the 3<sup>rd</sup> Sub. That he did hear conversation between Joshua Biggs Trustee and William Helly. He said to Joshua Biggs that he could not comply. He don't Mr Biggs spoke anything, than simply to ask the question. ~

John Close, a witness of lawful age produced on the part of the Complainants, and being duly sworn and examined to special Interrogatories and Cross Interrogatories, filed with the Commissioner, and herewith returned, deposes and says. ~

To the 1<sup>st</sup> Sub. ~ That he knows William Helly, I do not think he was worth anything at the time of the sale. I am certain he was not worth anything. ~

To the 2<sup>nd</sup> Sub ~ That the land sold for more than I expected it to sell for. I did not expect it to sell for more than ten dollars, as it went up to thirteen dollars, I thought it sold for more than it was worth. ~

To the 1<sup>st</sup> Cross Sub: I arrived at a valuation from my personal knowledge ~

Nicholas Stansbury, a witness lawful age produced on the part of the Complainants, and being duly sworn, and examined to special interrogatories filed with the Commissioner and herewith returned, deposes and says.

To the 1<sup>st</sup> Sub. That he was the Auctioneer employed to sell the land in these proceedings mentioned. There were some twelve, fifteen, or perhaps twenty persons there. ~

To the 2<sup>nd</sup> Sub. ~ David Gamble first started it at five dollars an acre. Next bid ten dollars an acre. Mr Helly, that is William Helly bid \$11 Eleven dollars, the next bid was by ~~for~~ twelve dollars, William Helly bid thirteen dollars and five cents. William Helly, thirteen dollars and ten cents, for thirteen dollars and fifteen cents, and it was struck off to him. There were no persons that I know of prevented from bidding. ~

To the 3<sup>rd</sup> Interrogatory ~ The said sale was fairly conducted, and struck off to the highest bidder. ~

To the 1<sup>st</sup> Cross Interrogatory, I gave William Helly time, I gave fair warning. That sale was as fair a sale as I ever made in my life. A half dozen bids could have been made between the time ~~of~~ <sup>For</sup> bid, and the time it was struck off to him.

To the 2<sup>nd</sup> Cross Sub: I took every bid offered by William Helly ~

There being no other witnesses to be examined on behalf of the Complainants this Commission was adjourned at the request of the exceptants until the Twenty fourth day of June, 1840 at 2 O'clock P.M at my Office in Frederick City, Maryland. ~

William Peers, a witness of lawful age produced on the part of the exceptants Mary and Elizabeth Helly, being duly sworn and examined to interrogatories filed by James M. Sherry, Solicitor for said Exceptants deposes and says. ~

To the 1<sup>st</sup> Sub ~ That he does not know the Complainants, but knows all defendants except Ann Maria Helly. ~

To the 2<sup>nd</sup> Sub. ~ That he knows the lands sold under the decree in this cause and is acquainted with its value. ~

To the 3<sup>rd</sup> Sub. ~ I always considered it among the best land on Toms Creek, if it was cultivated, worth from twenty to twenty-five dollars per acre. ~

Nicholas Stansbury sold a small tract of thirty three Acres near this land for twenty four dollars an acre, which was greatly inferior in quality and value to the tract sold by the Trustee. ~

To the 4<sup>th</sup> Sub: ~ Yes, I would think so of course. ~

To the 5<sup>th</sup> Sub. ~ No. ~